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‘That ugly treason of mistrust’: rhetoric of credit and the credit of rhetoric in *The Merchant of Venice*

Gary Watt

In 2016, four hundred years after Shakespeare’s death, ‘post-truth’ was selected as the Oxford English Dictionary’s ‘word of the year’. 2016 was the year of the United Kingdom’s referendum on whether it should remain in or leave the European Union, and it was the year of the election of Donald Trump to the Presidency of the United States. Truth was very much at issue, especially as regards the reporting of news and facts in so-called ‘social’ and so-called ‘mainstream’ media. One especially lamentable feature of our post-truth world, and one that has special resonance with *The Merchant of Venice*, is the casting of doubt upon the nature and extent of the Jewish Holocaust, the Shoah.<sup>1</sup> Lies levelled at the Jewish people form a line that stretches far back into history, for the fact is that the post-truth world – or a world in which evidence-based claims about fact and truth are suspect – is not news. Doubt about words and images, including reports of news, was already a strong current of concern in Shakespeare’s day and it appears as a strong current in Shakespeare’s plays.<sup>2</sup> He saw keenly that a major human cost of living in a world without truth is that one finds oneself in a world without trust. Or, which may be more accurate, that one finds oneself in a world where trust in individuals is replaced by trust in material stuff or trust in mechanisms, such as legal procedures, that are supposed to operate impartially and independently of individual will.<sup>3</sup> Shylock’s experience in *The Merchant of Venice* shows that both species of trust,

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<sup>1</sup> Deborah Lipstadt, *Denying the Holocaust: The Growing Assault on Truth and Memory* (London: Penguin Books, 1993).

<sup>2</sup> Lorna Hutson, *The Invention of Suspicion: Law and Mimesis in Shakespeare and Renaissance Drama* (Oxford: Oxford University Press, 2007).

<sup>3</sup> Niklas Luhmann, ‘Trust’, in *Trust and Power: Two Works by Niklas Luhmann*, trans. H. Davies, et al. (Chichester: Wiley & Sons, 1979).

whether in individuals or in institutions, may be suspect. The problem is that the social cost can be very significant where such suspicions are widely held.<sup>4</sup> Post-trust is as dangerous as post-truth. The *Oxford English Dictionary* defines the adjective ‘post-truth’ as ‘relating to or denoting circumstances in which objective facts are less influential in shaping public opinion than appeals to emotion and personal belief’.<sup>5</sup> A post-trust society is one in which personal belief shrinks to belief in oneself above all others. Shakespeare opened up the casket of these concerns for his own time, but we will find that his insights can still serve today to help us to distinguish coverage we should believe in from coverings of a deceiving sort, between people and performances that are creditworthy and those we should properly mistrust.

## 1. Credit clauses

‘In sooth’. The first words of *The Merchant of Venice* belong to a set that I will call ‘credit clauses’. Spoken by Antonio, they are echoed in Portia’s ‘By my troth’ at the very start of the second scene. The play has many other instances, including ‘believe me’, ‘trust me’, ‘truly’ and ‘in truth’.<sup>6</sup> The habit of using credit clauses continues in our quotidian conversations today, so we find ourselves habitually commencing speech with such statements as ‘honestly, I...’, ‘trust me, I...’, ‘believe me...’ and ‘to tell you the truth...’. Such filler phrases serve as commonplace clauses in our social contracts. Credit clauses are typically used casually and not in any deliberately calculating way. They nevertheless operate – often at the very vanguard of a speaker’s narrative – to

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<sup>4</sup> Francis Fukuyama, *Trust: The Social Virtues and the Creation of Prosperity* (New York: Macmillan, 1995); Piotr Sztompka, *Trust: A Sociological Theory* (Cambridge: Cambridge University Press, 1999).

<sup>5</sup> <https://languages.oup.com/word-of-the-year/word-of-the-year-2016> (online).

<sup>6</sup> In Act 1 scene 1, the phrase ‘believe me’ passes like bad credit from Salanio to Antonio to Gratiano. In Act 2 scene 2 it is Gratiano who seeks credit with the words ‘trust me’ and in Act 3 scene 5 ‘truly’ is uttered four times by the false servant Lancelet Giobbe in his short private dialogue with Jessica. It is Portia who says ‘In truth’ (1.2.54).

enhance the audience's belief in the veracity, sincerity and reliability of the speaker's speech. In Aristotelian terms, we can say that credit clauses operate rhetorically to establish the speaker's trustworthiness as an aspect of their ethos. Without realizing it, speakers might even use them to convince themselves of their own veracity. At their subtle best, credit clauses operate upon the hearer's subconscious by implying trustworthiness without putting credibility expressly in issue. In *Julius Caesar*, Brutus's clumsy attempt to establish ethos with a credit clause – 'Believe me for mine honour' (*JC* 3.2.14–15) – failed in part because it was too overt. In *Measure for Measure*, Angelo fares no better with his 'Believe me, on mine honour, / My words express my purpose'. He is immediately rebuked by Isabella for putting his honour in issue: 'Ha? little honour, to be much believ'd, / And most pernicious purpose! Seeming, seeming!' (*MM* 2.4.146–9). *King John*, which was written almost exactly contemporaneous with *The Merchant of Venice*, contains in one short passage a most efficient example of credit clauses being juxtaposed to more conscious concern for the credibility of reported news. Constance says:

I trust I may not trust thee, for thy word

Is but the vain breath of a common man:

Believe me, I do not believe thee, man;

(*KJ* 3.1.7–9)

Clearly, *The Merchant of Venice* is by no means unique amongst Shakespeare's dramatic works in containing a great many credit clauses, but it is unique in that the entire play is prefaced with a credit clause. It is also the only one of Shakespeare's plays in which the phrase 'believe me' appears three times in a scene, and, significantly, that scene is the very first of the play. From the outset, the language of credibility sounds

the keynote for the play's rich linguistic composition of trust correlates – including 'truth', 'troth', 'sooth', 'belief', 'credit' – and it sounds the keynote for the themes of truth and trust that drive all material plot points of the drama – the 'pound of flesh' bond, the lovers' bonds and the choice of Portia's casket.

The casket scene which stands at the structural centre of *The Merchant Venice* contains the play's most sustained excursus on its central theme of credit and deceit, and it does so with a particular focus on the deceiving capacity of eloquent and ornamental rhetoric. Bassanio's speech begins with lines which recall the creation of the 'pound of flesh' bond made between Shylock and Antonio and which anticipate the trial of its terms before the Duke: 'So may the outward shows be least themselves, / The world is still deceived with ornament. / In law, what plea so tainted and corrupt, / But, being seasoned with a gracious voice, / Obscures the show of evil?' (3.2.74–8). This is the classic Platonic critique of rhetoric. As Socrates says in Plato's *Gorgias*: 'there is no need to know the truth of the actual matters, but one merely needs to have discovered some device of persuasion which will make one appear to those who do not know to know better than those who know'.<sup>7</sup> Plato's criticism is somewhat overblown, for it downplays the central place of credibility as an aspect of persuasive ethos, and the part that reputation (including reputed expertise) plays in producing credibility. Around the time that Aristotle was formulating his idea of rhetorical ethos, the elderly Isocrates was writing that 'words carry greater conviction when spoken by men of good repute'. Is it not the case, he asked, that 'the argument that is made by a man's life is of more weight than that which is furnished by words?'<sup>8</sup>

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<sup>7</sup> Plato, *Gorgias*, trans. W. R. M. Lamb, Loeb Classical Library (Mass: Harvard University Press, 1929), 459c.

<sup>8</sup> Isocrates, *Antidosis*, trans. George Norlin, Loeb Classical Library (Mass: Harvard University Press, 1954), 279.

For Aristotle, a persuasive rhetor must be credible and to be credible the rhetor must be ethical. In his definitive statement on ethos as a necessary feature of persuasive speech, he asserts that:

Persuasion is achieved by the speaker's personal character when the speech is so spoken as to make us think him credible. We believe good men more fully and more readily than others: ... personal goodness revealed by the speaker ... may almost be called the most effective means of persuasion he possesses.<sup>9</sup>

We still describe a person as being 'good for a debt' if they are able to repay it, but we are not likely nowadays to confuse the qualitative measure of a debtor's moral goodness with more quantitative measures of the debtor's financial ability to repay money. Economic language has ousted the ethical – talk of credit as a quality of character has been replaced by 'credit ratings' and 'credit scores'. In early modern England, moral and monetary considerations were more easily confused, as the following dialogue shows:

JEW

Antonio is a good man.

BASSANIO

Have you heard any imputation to the contrary?

JEW

Ho, no, no, no, no. My meaning in saying he is a good man is to have you understand me that he is sufficient

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<sup>9</sup> Aristotle, *The Art of Rhetoric*, trans. J. H. Freese, Loeb Classical Library (Mass: Harvard University Press, 1975), 1356a.

Similar confusion occurred with regard to usury, which is the Venetian Christians' key complaint against Shylock the Jewish moneylender. Thomas Wilson asserted in *A Discourse Upon Usury* that biting usury tends 'to the vtter discreditinge of merchants wholye',<sup>10</sup> citing Aristotle for the view that money 'is y<sup>e</sup> suerty for mens dealings: & w<sup>t</sup>out money no man doubtlesse could tel how to trade or bargaine'.<sup>11</sup> Elsewhere in the *Discourse* we find a passage that is most pertinent to our appreciation of Shylock's offer to lend money to Antonio free of interest. Wilson gives the example of an apothecary who makes an interest-free loan to a physician in the expectation that the physician will give the apothecary exclusive preference in future business. Is this usury? Wilson concludes that it is not, 'because the Apothecarie doth not take any thing, to be valued or measured, by money ouer & aboue his principall, but onelye the fauour of the Phisicion'.<sup>12</sup> In similar vein, Shylock stated that it was also in the hope of personal favour, or to 'be friends', that he offered his loan interest-free to Antonio. In the deal as Shylock offers it, monetary interest is replaced by repayment through friendship – the quality most prized by rhetoricians for producing credit of character as an aspect of ethos. Recall the prime place of friendship in Mark Antony's oration in Caesar's funeral: 'Friends, Romans, countrymen... He was my friend, faithful and just to me' (*JC* 3.2.74, 86). In resorting to friendship in this way, Shakespeare may have been influenced directly or indirectly by Cicero's essay 'On Friendship', in which the greatest Roman rhetorician of them all goes to great lengths to contrast the uncountable

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<sup>10</sup> Thomas Wilson, *A Discourse Upon Usury* (London: Richard Tottel, 1572), 102.

<sup>11</sup> *Ibid.*, 112.

<sup>12</sup> *Ibid.*, 130.

quality of friendship with things that can be measured numerically: ‘everybody could tell how many goats and sheep he had, but was unable to tell the number of his friends’.<sup>13</sup>

As an audience, should we trust Shylock’s friendly performance when creating the bond? If not, should we not equally mistrust Portia’s appeal to mercy when holding him to it? Maybe Shylock was correct in his assessment of Antonio’s and Bassanio’s chronic mistrust, when he complains that their ‘own hard dealings teaches them suspect / The thoughts of others’ (1.3.157–8). We might even dare to ask whether Antonio was correct in his belief that Bassanio was a true friend all along. Shylock at no stage before his defeat at trial asks for money from Antonio over and above the return of his principal. In contrast, the suspicion hanging over the financially compromised Bassanio is that money is always in the mix of his motives. Bassanio’s professed love for Antonio and Portia may be mendacious cover for motives that are, at base, monetary. In the account that Bassanio makes to Antonio of Portia’s moral virtues, he cannot resist resorting to monetary language as he talks of the ‘undervalued ... worth’ of the ‘lady richly left’ (1.1.161–76). He likens her to the Golden Fleece that Jason won,<sup>14</sup> and his true confederate Gratiano echoes the allegory later in the play (3.2.240) to give the sense that Bassanio and Gratiano have always been a pair of merchant venturers ‘on the make’.

## **2. False witness and fake news**

In addition to ‘credit clauses’ that tend directly to commend our credit to the audience, there are statements that operate indirectly to improve our credit by casting doubt on the credibility of others. When a performer employs the rhetoric of suspicion and

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<sup>13</sup> Marcus Tullius Cicero, *Laelius de Amicitia*, trans. William Armistead Falconer, Loeb Classical Library (Cambridge: Mass Harvard University Press, 2014), 17.62.

<sup>14</sup> On the Golden Fleece and mythological allusions, see Janice Valls-Russell’s chapter in this volume.

mistrust it serves to elicit credibility for the rhetorician's own performance. This rhetorical dynamic is employed in the world of 'post-truth' politics whenever, for example, a speaker alerts their audience to 'fake news' and other such false fabrications. The speaker would have us believe that a special virtue of honest people is their ability to perceive falsehood in others. We would be wrong to believe it, for an artful liar knows best how to raise the credit of their own character by pointing to the dishonesty of others. Shakespeare's Machiavellian villains, such as Iago (*Oth*), Edmund (*KL*) and Don John (*MA*), supply some of the best examples of this technique, but the lowly clown figure of *The Merchant of Venice*, Lancelet Giobbe, provides examples too. (His name is usually rendered 'Launcelot Gobbo', but in his Arden 3 edition John Drakakis reinstates the original pun on the Lancet as a surgical instrument that pricks through appearances. This is a choice most apt to the Clown's role and to the theme of mistrust running through the play.) Lancelet seeks to enhance his own ethos as "...honest Lancelet; / ... honest Giobbe", or, as aforesaid, "Honest Lancelet Giobbe ..." (2.2.6–8) by reporting that his conscience compels him to leave Shylock, who he calls 'the devil himself' (2.2.23). Later, when he encounters Bassanio in the street, he seeks to impress his honesty upon Bassanio with report of Shylock's offences. Note his use of a 'credit clause': 'To be brief, the very truth is that the Jew, having done me wrong...' (2.2.123–4).

Should we believe Lancelet's claim to be honest, or should we prefer the evidence of Shylock who does not trust him to look after his house? (1.3.170–72) If the question of credibility is a question of character, Lancelet's performance in the scene with his 'true-begotten father' (2.2.31–2) suggests that Shylock's assessment is the true one and leads us to suspect that Lancelet's account of Shylock is slanderous. Lancelet's instinct upon encountering (Old) Giobbe in the street is to abuse his father's trust by

making sport of his blindness. How perverse, and yet so fitting to this drama of mistrust, that even as he performs the biblical Jacob's trick of seeking his blind father's blessing, it is given to the untrue and untrustworthy Lancelot to utter the commonplace that 'truth will come to light' (2.2.73–4) and, in a phrase which Shakespeare may have coined here, that 'truth will out' (2.2.75). It might come naturally to a liar to speak so knowingly of universal truth and the falseness of others. Lancelot's testimony against Shylock is not the last time that Shylock seems to suffer false witness. It could even be that Jessica was lying when she said:

When I was with him, I have heard him swear  
To Tubal and to Chus, his countrymen,  
That he would rather have Antonio's flesh  
Than twenty times the value of the sum  
That he did owe him; and I know, my lord,  
If law, authority and power deny not,  
It will go hard with poor Antonio.

(3.2.283–9)

We know that Jessica is not honest to a fault in the way that, say, Lear's daughter Cordelia is. For one thing, Jessica steals Shylock's wealth. For another, she lies directly to her father when she falsely reports what Lancelot had whispered to her: 'His words were "Farewell mistress", nothing else' (2.5.43). We cannot know if she is a true witness to her father's hateful words or if she is speaking to ingratiate herself with her new Christian company, but there is prescient truth in her instinct, originating no doubt in her upbringing in the Jewish ghetto, that any trust her father might place in law and the authorities may prove ill-founded.

Whether Jessica is reporting truly or not, we have good reason to regard as ‘fake news’ the reports that flow from the mouths of Salarino and Salanio. They are an odd couple who are completely unrealized as characters except in their role as devourers and divulgers of news. The shared ‘Sal’ in their names might have suggested to the educated early modern playgoer a lustful jumping upon every salacious crumb of gossip, bearing in mind the Latin *salacis* (‘lustful’) and *salire* (‘to leap’). The word ‘salacious’ was not in use in Shakespeare’s day, but Portia’s line ‘hot temper leaps o’er a cold decree’ (1.2.18) hints that Shakespeare might have felt the Latin connection between lust and leaping. ‘Salt’ in English had connotations of lust in Shakespeare’s day, and even today the adjective ‘salty’ implies coarseness. In modern French, the connection between salt and dirtiness is resonant in the verb ‘salir’, which implies ‘tainting’. To return this linguistic digression back to Salarino and Salanio, we can note that ‘Sal’ connects the several senses of lust, leaping, grasping and tainting to the world of money through language of ‘salary’ (derived from salt) and ‘sale’ (derived from an original sense of grasping or taking). Salarino and Salanio lust after news and leap to tell it. They are conveyers or salesmen of dirty scandal into the ears of anyone who will deal with them. Most significantly, their shared ‘Sal’ confirms the impression that they operate almost as a single character with two mouths (other confirmation comes early on, when Salarino swears by two-headed Janus [1.1.50]). Salarino and Salanio are two tongues with a shared taste for salty gossip. The dramaturgical reason for their joint operation is, I submit, that Shakespeare intended them to perform as a variant of the stock vice figure Rumour with his customary coat of many tongues.

The text of *The Merchant of Venice* is believed to have been completed sometime between August 1596 and September 1597. *The First Part of Henry IV*

(hereafter *1H4*) was written or finalized almost exactly contemporary with it,<sup>15</sup> with *The Second Part (2H4)* following around a year later. *1H4* is intensely imbued with concerns about counterfeit appearances and *2H4* begins with an induction spoken by Rumour. The opening stage direction reads ‘Enter RUMOUR *painted full of tongues*’. The evidence is strong that Shakespeare had Rumour in mind as he wrote *The Merchant of Venice*. Salarino even finishes one of his news reports with the caveat ‘if my gossip Report be an honest woman of her word’ (3.1.6–7), which is almost certainly a reference to the folk figure of the gossiping woman who has sometimes been called ‘Dame Rumour’. In their long dialogue at the start of 2.8, we witness Salarino and Salanio weaving their knowing narrative from threads of things they claim to have seen in person and threads of news drawn from what others have allegedly reported. Thus we have Salarino’s ‘in their ship I am sure Lorenzo is not’ (2.8.3) followed by Salanio’s ‘The villain Jew with outcries raised the Duke’ (2.8.4) and then, Salarino’s ‘the Duke was given to understand’ and ‘Antonio certified the Duke / They were not with Bassanio in his ship’ (2.8.7, 10–11). Then comes their damning testimony against the character of Shylock, from which we are to believe that he makes no distinction between his daughter and his money. Salanio says that he saw Shylock running in the public place crying ‘My daughter! O, my ducats! O, my daughter!’ (2.8.15), and his second tongue, Salarino, backs him up, saying ‘Why, all the boys in Venice follow him, / Crying “His stones, his daughter and his ducats!”’ (2.8.23–4). Their testimony is the only evidence we have that Shylock acted this way, so should we believe it? We might wonder why they would tell lies to each other in private conversation, but that is to overlook the fact that they are never alone. They are speaking to each other in the

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<sup>15</sup> It was ‘probably first performed in the winter of 1596-7’, David Scott Kastan, ed., *King Henry IV: Part 1*, Bloomsbury The Arden Shakespeare, Third Series (London: Thomson, 2002), 2.

confidence that a theatre audience is listening in. The character of Rumour who speaks the induction to *2H4* makes express reference to the role that the public, including the playgoers, perform in spreading false report:

Rumour is a pipe  
Blown by surmises, Jealousy's, conjectures,  
And of so easy and so plain a stop  
That the blunt monster with uncounted heads,  
The still discordant wav'ring multitude,  
Can play upon it. But what need I thus  
My well-known body to anatomize  
Among my household? Why is Rumour here?

(*2H4* Induction 15–22)

If we ask of *The Merchant of Venice* 'is Rumour here?' the answer is affirmative. Rumour's pipe is played by Salarino and Salanio and by numerous other characters in the play, while the eavesdropping playgoers are conscripted to play along. The false music of Salarino and Salanio falls to a low pitch when Salarino reports:

I reasoned with a Frenchman yesterday  
Who told me, in the narrow seas that part  
The French and English, there miscarried  
A vessel of our country richly fraught.  
I thought upon Antonio when he told me,  
And wished in silence that it were not his.

(2.8.27–32)

We can scarce believe that such a mouth as Salarino could ever wish ‘in silence’. Salanio is truer to their talkative spirit when he urges ‘You were best to tell Antonio what you hear’ (2.8.33). There is reason to believe that Salarino had not been silent at all, but had rather spread abroad the salty rumour of Antonio’s wrecked ship. In the following act, when Salanio asks ‘Now, what news on the Rialto?’, we are not surprised at Salarino’s reply:

Why, yet it lives there unchecked that Antonio hath a ship of rich lading wracked on the narrow seas. The Goodwins, I think, they call the place: a very dangerous flat, and fatal, where the carcasses of many a tall ship lie buried, as they say, if my gossip Report be an honest woman of her word.

(3.1.2–7)<sup>16</sup>

Of course it lives there ‘unchecked’, for, as Rumour himself asks in *2H4*, who can ‘stop / The vent of hearing when loud Rumour speaks?’ (Induction 1–2). The lesson for our own age is that no amount of fact-checking will check the wind of a good story when it is in full flow. Salarino is speaking figuratively. There is no woman out there spreading the news; there is no ‘gossip Report’. To find the characters Rumour and Report we need look no further than Salarino and Salanio. So it is in *2H4*, where, though news flows from many mouths, it all shares one source in the person of Rumour: ‘not a man of them brings other news / Than they have learnt of me. From Rumour’s tongues’ (*2H4*, Induction 37–9). Like Rumour in *2H4*, Salarino whipped up the wind of fake news from the outset of the play (in the opening scene, he talks of ‘My wind’ [1.1.21]). In the first scene, he contemplates Antonio’s ship wrecked on ‘shallows’ and

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<sup>16</sup> The grain of truth here is the specific reference to the Goodwin Sands, which has for many years been a notorious shipwreck site on the Thames estuary. Shakespeare also refers to it in *King John* (5.5.12–13), a play almost exactly contemporary with *The Merchant*.

‘flats’ and ‘What harm a wind too great might do at sea’ (1.1.25, 23). He speaks of a ‘stop’, but the pair cannot stop, for they are Rumour itself:

SALANIO

I would she were as lying a gossip in that as ever knapped ginger, or made her neighbours believe she wept for the death of a third husband. But it is true, without any slips of prolixity, or crossing the plain highway of talk, that the good Antonio, the honest Antonio, – O, that I had a title good enough to keep his name company! –

SALARINO

Come, the full stop.

SALANIO

Ha, what sayest thou? Why, the end is, he hath lost a ship.

(3.1.8–17)

Salanio’s image of Dame Rumour chewing a spicy morsel of gossip as one chews (knapps) ginger has a partner in a passage of *IH4*, in which Hotspur, having called for his wife to sing ‘her’ song and having been rebuffed with ‘Not mine, in good sooth’ (3.1.242), rails at length against her slovenly use of the common credit clause ‘in good sooth’ (similar, it will be recalled, to the one with which Antonio opens *The Merchant of Venice*). He tells her to ‘leave “in sooth,” / And such protest of pepper gingerbread’ (3.1.250–51).<sup>17</sup> His objection is not that she uses a credit clause (he is content that she should utter a ‘good mouth-filling oath’ [*IH4* 3.1.250]), but only that she should forbear to swear in the language that commoners use.

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<sup>17</sup> David Scott Kastan’s Arden edition of *IH4* contains an introductory section expressly devoted to ‘counterfeiting and kings, credit and credibility: economic language in the play’ (London: Bloomsbury, 2002), 62–8.

Later in the play, the messenger Salerio brings news that all of Antonio's ships have been wrecked. Salarino, Salanio...and now Salerio! Rumour has grown yet another head and found yet another tongue. Bassanio is naturally incredulous that all Antonio's ships should have been wrecked:

But is it true, Salerio?

Have all his ventures failed? What, not one hit,

From Tripoli, from Mexico and England,

From Lisbon, Barbary and India

(3.2.265–8)

Salerio confirms 'Not one, my lord' (3.2.270). It turns out that he was wrong, or that he was lying, for at the end of the play Portia reveals that three of Antonio's ships survived. My own suspicion is that Salerio's letter is simply blowing into Belmont the rumour that Salanio and Salarino had first whispered on the Rialto. The facts presented in the play give us no way to know if one of Antonio's ships was wrecked as Salanio and Salarino report, or whether they worked together to spin that fact out of a supposition. It matters, because if these gossips are guilty of malicious falsehood, we must doubt their narrative about Shylock's behaviour. We should doubt on grounds of prejudice alone from the moment they describe him as 'the devil... in the likeness of a Jew' (3.1.19–20). We might conclude in the words of the Duke in *Othello* (the play that carries Shakespeare's most extensive excursus on problems of proof)<sup>18</sup> that 'There is no composition in these news / That gives them credit' (*Oth* 1.3.1–2).

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<sup>18</sup> Gary Watt, "'To read him by his form": Shakespeare on the matter of proof', in Jean-Pierre Schandeler and Nathalie Vienne-Guerrin, eds, *Les Usages de la preuve d'Henri Estienne à Jeremy Bentham* (Laval: Les Presses de l'Université Laval; Paris: Hermann, 2014). A version of the essay is available online at DOI: 10.5040/9781472544438.ch-003.

Rumour will sometimes arise from prejudice, but it can also be as indiscriminating as the wind. Salanio and Salarino cannot resist the chance to blow their news into Shylock's ear, even though this will harm Antonio by diminution of his reputational credit:

SALANIO

How now, Shylock, what news among the merchants?

...

SALARINO

... do you hear whether Antonio have had any loss at sea or no?

(3.1.21, 37–8)

In this scene, Shakespeare shows double-tongued Rumour 'Stuffing the ears of men with false reports' (*2H4* Induction 8). Shylock's ear is greedy for news. When Tubal enters, Shylock asks 'what news from Genoa?' (3.1.72). The lines that follow are crammed with senses (and sounds) of ears, hearing and news. We have Tubal's hearsay evidence: 'I did hear of her' (3.1.74), 'as I heard in Genoa' (3.1.89–90), 'in Genoa, as I heard' (3.1.98), 'I spoke with some of the sailors' (3.1.94) and 'Antonio's creditors ... swear he cannot choose but break' (3.1.102–4), alongside Shylock's 'jewels in her ear' (3.1.81), 'No news' (3.1.82), 'Is it true, is it true?' (3.1.93), his credulous 'good news, good news! Ha, ha, heard in Genoa!' (3.1.96–7) and even, perhaps, (in punning form) 'hearsed' (3.1.81). Tubal is not reporting what he has seen, but only what others report that they have seen. His testimony is hearsay and attributed to unnamed anonymous sources. It is most doubtful evidence to establish the fact of Antonio's loss. Be that as it may, Tubal's news is lodged like a jewel in Shylock's ear and he readily takes it for truth.

TUBAL

But Antonio is certainly undone.

JEW

Nay, that's true; that's very true.

(3.1.112–13)

### 3. Trust to law

The choice between trust to friendship and trust to law is at issue between Shylock and Antonio from their first meeting. Before Antonio's arrival, Bassanio urges Shylock to trust in Antonio's character. Shylock might, but not without the assurance of legal security:

JEW

I think I may take his bond.

BASSANIO

Be assured you may.

JEW

I will be assured I may; and, that I may be assured, I will bethink me.

(1.3.24–8)

When Antonio speaks, any possibility of reaching a friendly arrangement with Shylock quickly evaporates: 'If thou wilt lend this money, lend it not / As to thy friends, ... / But lend it rather to thine enemy' (1.3.127–30).

Whether to trust to law, or to love and friendship, is a perennial question. In the mercantile and moneyed world of *The Merchant of Venice*, most characters trust to

both. That the question is a perennial one is clear from the daily drama of modern courts. A case from 2016 (that year again) will serve as an illustration. In *Adams v. Moore*,<sup>19</sup> the judge, His Honour Judge Platts, commenced his judgment by saying ‘This is a sad case’. The melancholy opening recalls Antonio’s ‘I know not why I am so sad’. The parties to the case had been friends, but had fallen out over their business venture. In matters of money, the judge points to the need for trust in law alongside trust in friends:

... these intelligent, educated partners with experience in business chose to embark on this venture without formalising the arrangements. That does speak volumes as to their mutual friendship and trust at the time, but I am sure that a failure to consider at the outset the true nature of the venture has led to the situation which they now find themselves in.<sup>20</sup>

A formal partnership might have suited the parties’ intentions best, but another possibility was to use a trust. This device, which can be employed for sharing ownership of assets, including profits from commercial ventures, was developed by the equity jurisdiction of the English High Court of Chancery and formerly went by the name of the ‘use’.<sup>21</sup> It is with that name that Shakespeare refers to it when Antonio requests that Shylock should give half of his goods (the half awarded to Antonio by the court) ‘in use, to render it, / Upon his death unto the gentleman / That lately stole his daughter’ (4.1.379–81). In other words, Antonio proposes that there should be a ‘use’ or ‘trust’ of those assets for his benefit during Shylock’s lifetime and on Shylock’s death that the benefit should pass to Lorenzo (and thereby indirectly to Jessica also). This is said to

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<sup>19</sup> [2016] EWHC 3666 (QB). The citation indicates a case heard in the Queen’s Bench Division (QB) of The High Court of Justice in the jurisdiction of England and Wales (EWHC).

<sup>20</sup> *Ibid.*, Para.[8].

<sup>21</sup> N. G. Jones, ‘Wills, Trusts and Trusting from the Statute of Uses to Lord Nottingham’, *Journal of Legal History* 31 (2010), 273–98; Gary Watt, *Equity Stirring: The Story of Justice Beyond Law* (Oxford: Hart, 2009), 120-24.

be a settlement (on 'use' or 'trust') '*pur autre vie*', which is to say that Antonio's interest in the assets comes to an end not when Antonio dies but when another named person (in this case Shylock) dies. Ironically, given Shylock's threat to kill Antonio, Shylock's only chance to enjoy again a personal benefit in that half of his wealth lies in the possibility that Antonio might predecease Shylock, in which event the benefit would jump back to (that is, 'result' to) Shylock until his death.<sup>22</sup>

The Chancery trust originated in a personal obligation of trust reposed by one party in another, which the King's Lord Chancellor would enforce to require the trustee to fulfil the duty which in good conscience he ought to fulfil. Over time, the trust came to grant ownership of the property which could bind third parties who had no actual relationship of trust with the original parties. In this way, the Chancery trust moved from trust between people to trust in property and trust in judicial process, hence Lord Mansfield's observation: 'now the trust in this court is the same as the land, and the trustee is considered merely as an instrument of conveyance'.<sup>23</sup> We might even say that the Chancery trust is nowadays most useful precisely where personal trust between the parties is most lacking.<sup>24</sup> For Shylock the final indignity is being forced to confess faith in his enemy's God and being forced to trust his wealth into his enemy's hands, and all by a court in which he had placed his trust.

#### **4. Love on trial**

A striking feature of *The Merchant of Venice* is how little the characters trust each other, and how little deserving of trust they are. Even lovers mistrust each other and put their credit to constant trial. Does Portia suspect a mercenary motive behind Bassanio's suit?

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<sup>22</sup> On the technicalities, see Mark Edwin Andrews, *Law Versus Equity in The Merchant of Venice* (Boulder: University of Colorado Press, 1965), 74.

<sup>23</sup> *Burgess v Wheate* (1759) 1W Bl 123, 162; 96 ER 67, 84.

<sup>24</sup> See, generally, Roger Cotterrell, 'Trusting in Law: Legal and Moral Concepts of Trust' (1993) CLP 75.

When he says 'Let me choose / For, as I am, I live upon the rack' (3.2.24–5), she seizes the opportunity to test him:

PORTIA

Upon the rack, Bassanio? Then confess  
What treason there is mingled with your love.

BASSANIO

None but that ugly treason of mistrust,  
Which makes me fear th' enjoying of my love.

...

PORTIA

Ay, but I fear you speak upon the rack,  
Where men enforced do speak anything.

BASSANIO

Promise me life and I'll confess the truth.

PORTIA

Well then, confess and live.

(3.2.26–7, 32–5)

It is all very playful, of course, but in a play that is full of questionable credit, the playwright seems to be saying that embracing lovers trust each other at arms-length, even as merchants and moneylenders do. Writing to Bassanio, Antonio also hints at Bassanio's unreliable love:

*all debts are cleared between you and I if I might but see you at my death.  
Notwithstanding, use your pleasure; if your love do not persuade you to come,  
let not my letter.*

(3.2.317–20)

Antonio suspected mistrust when he thought Bassanio did not credit him to put up the loan in the first place: ‘out of doubt you do me now more wrong / In making question of my uttermost / Than if you had made waste of all I have’ (1.1.155–7). It will be recalled that Antonio had from the outset been willing to undergo torture for Bassanio’s sake:

Try what my credit can in Venice do,  
That shall be racked even to the uttermost  
To furnish thee to Belmont to fair Portia.  
Go presently inquire, and so will I,  
Where money is, and I no question make  
To have it of my trust, or for my sake.

(1.1.180–85)

Portia, Bassanio and Antonio are triangulated in courtly trials of love in which they subject each other to inquisition and counter-question. They are always trying what their credit can do in a world of mistrust. Quibbles between Jessica and Lorenzo take similar form. She tests him:

JESSICA

Who are you? Tell me for more certainty,  
Albeit I’ll swear that I do know your tongue.

LORENZO

Lorenzo, and thy love.

JESSICA

Lorenzo certain, and my love indeed,  
For who love I so much? And now, who knows  
But you, Lorenzo, whether I am yours?

LORENZO

Heaven and thy thoughts are witness that thou art.

(2.6.27–33)

And he makes trial of her:

Beshrew me but I love her heartily,  
For she is wise, if I can judge of her,  
And fair she is, if that mine eyes be true,  
And true she is, as she hath proved herself:

(2.6.53–6)

Jessica passes Lorenzo's test, but he nevertheless teases her with jealous mistrust when he finds her and Lancelet conversing in a corner (3.5.26–7). She returns the favour:

JESSICA

In such a night

Did young Lorenzo swear he loved her well,  
Stealing her soul with many vows of faith,  
And ne'er a true one.

LORENZO

In such a night  
Did pretty Jessica, like a little shrew,  
Slander her love, and he forgave it her.

(5.1.17–22)

These little trials culminate in the inquisition to which Bassanio is subjected when he confesses to Portia that he gave away the ring she had given him, and which he swore never to part with. There is a joinder of this trial with Nerissa's trial of Gratiano on the same matter. In the end, Bassanio comes through this trial, as he also came through the trial by ordeal of the casket test. In dismissing the golden casket, Bassanio had rejected ornament as false:

ornament is but the guiled shore  
To a most dangerous sea; the beauteous scarf  
Veiling an Indian beauty; in a word,  
The seeming truth,

(3.2.97–100)

Does Bassanio's protest against deceiving appearances ring true? Did he not, at substantial cost to Antonio, dress himself in finery to gain his chance at the casket test? When he finds 'Fair Portia's counterfeit!' (3.2.115) in the lead casket, did he not praise it excessively? Did he not adopt the visual language of legal formalism – the language of the sign – when he wished his victory to be 'confirmed, signed, ratified' (3.2.148) by Portia? The more we look upon the debtor Bassanio, the more we doubt his credit.

Arguably, the lesson of the caskets is not that surfaces are false and cannot be trusted, but only that surfaces should be appreciated more deeply. There is a sense recurring in Shakespeare's works that sensory impressions – sights and sounds – may be deceiving, but that love requires us to trust them anyway. In *Cymbeline*, for example, Cymbeline says it would have 'been vicious / To have mistrusted' (*Cym* 5.5.65–6) his wife, the Queen, when she looked and sounded so attractive.<sup>25</sup> Bassanio preferred lead to gold not because he ignored the leaden surface, but because he weighed it up and did not judge it solely by its shine: 'Look on beauty, / And you shall see 'tis purchased by the weight' (3.2.88–9); 'Thy paleness moves me more than eloquence' (3.2.106). He was also, we suspect, not a little influenced by clues secreted in Portia's speech (sound elements of 'lead' are common) and in the song she had instructed the musician to sing while Bassanio was choosing (as others have noted, the lines of the song end-rhyme with 'lead'). The lesson may be that we should trust the performance taken as a whole. To encourage trust in the show is, of course, very sensible for lovers who wish to avoid jealousy, and most prudent for a playwright who wants playgoers to trust the 'baseless fabric' (*Tem* 4.1.151) of the play.

## 5. Trusting the drama

If *The Merchant of Venice* is a comedy after all, it is Shakespeare who has the last laugh. He persuades the playgoers to believe that Antonio's ships have all miscarried, but, as we noted earlier, in the final Act Portia reveals that three have made it safely home. When she tells the assembly, 'You shall not know by what strange accident / I chanced on this letter' (5.1.278–9), she is asking the playgoers to trust in the show. The 'strange accident' can only be that Shakespeare himself, descending into the drama as *deus ex*

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<sup>25</sup> Further strong examples can be found at the end of *Pericles* (5.1.110–13) and *Sonnet 138*.

*machina*, posted the letter to Portia. In scene after scene he stuffs ears with hearsay, stuffs eyes with glister and stuffs hands with letters full of lies posted directly from his desk (including one in which Bellario, a learned Doctor of Law, asserts the bare-faced lie that Portia is the lawyer Balthazar). We are so occupied in scrutinizing the play's falsehoods and its lessons about truth that we do not notice that the one telling us about lies is the one telling the lies.

As *The Merchant* concludes with the metatheatrical conceit of Portia's accidental letter, so *2H4* concludes with an epilogue standing outside the world of the play in which we hear the playwright speaking directly to us. As a counterpoint to Rumour's induction, it ties the play back to metatheatrical concern with playgoers' willingness to believe the show. It contains a sort of 'credit clause' that echoes the standard formal opening of a legal deed '*noverint universi per presentes*' (In *As You Like It*, Rosalind translates this as 'Be it known unto all men by these presents' [1.2.117-8]):

Be it known to you, as it is very well, I was lately here in the end of a displeasing play to pray your patience for it and to promise you a better. I meant indeed to pay you with this, which, if like an ill venture it come unluckily home, I break, and you, my gentle creditors, lose. Here I promised you I would be, and here I commit my body to your mercies. Bate me some, and I will pay you some and, as most debtors do, promise you infinitely. (*2H4* Epilogue 1, 7–16)

This epilogue, with its talk of breaking with creditors, of a venture coming home, and of a body at a creditor's mercy, fits *The Merchant of Venice* every bit as well as it fits

the play it was written for. Surely Shakespeare had both plays in mind at the same time, even if *The Merchant* is unlikely to be the ‘displeasing play’ referred to.<sup>26</sup>

At the end of *The Merchant*, Portia’s accidental letter performs the epilogue’s part of reminding us that we are watching a play and that the playwright has been asking us to believe in a work of artifice. Did we really believe that Shylock planned to kill Antonio from the outset? Or that the actions of the disguised Portia would match the mercy of her ornamental speech? Or that the court would enforce the flesh bond? Did the original playgoers believe that blood would be shed on the stage – a stage that would not have been draped in tragedy’s customary black, but decked in the colours of comedy? The material evidence was always before the playgoers’ eyes. In line after line of text the playwright tells his audience to doubt all ornamental show, but still he persuades us to suspend our disbelief. The Duke voices the playgoers’ subconscious doubts about the performed ‘act’ when he says ‘Shylock, the world thinks, and I think so too, / That thou but leadest this fashion of thy malice / To the last hour of act’ (4.1.16–18). Far from making the playgoers conscious of their doubts, his words of doubt chime with their thoughts and thereby enhance the veracity and reality of the play. We, the audience, are willingly gulled. We accept the show, as we accept the truth of a lover’s lies.

The Duke, Salarino and Salanio are not the only characters to align themselves with an external or metatheatrical point of view. Lorenzo seems to speak on behalf of the poet when he praises poetic language and decries its abuse by Lancelot Giobbe: ‘I do know / A many fools ... / Garnished like him, that for a tricky word / Defy the matter’ (3.5.60–6). This talk of dressing that obscures the matter, following Lancelot’s

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<sup>26</sup> *IH4* is the better candidate because of the controversy arising from the name of Oldcastle that was first associated with the character of John Falstaff. See the introductory notes to James C. Bulman’s Arden edition, Third Series (London: Bloomsbury, 2016), 133–42.

‘for the meat, sir, it shall be covered’ (3.5.55–6), calls to this writer’s mind passages in Thomas Wilson’s *The Arte of Rhetorique*:

him kunne I thanke, that both can and will ever, mingle sweete among the sower,  
be he Preacher, Lawyer, yea, or Cooke either hardly, when hee dresseth a good  
dish of meate.<sup>27</sup>

and

Now an eloquent man being smally learned can much more good in perswading  
by shift of wordes, and meete placing of matter: then a great learned clarke  
shalbe able with great store of learning, wanting words to set forth his  
meaning.<sup>28</sup>

Wilson claims as a virtue the very thing that Plato decried as a vice – that it is more pleasing to be served lesser meat dressed in a good sauce than to be served good meat with a poor sauce. Shakespeare clearly agreed with the need for good sauce, though ideally as an enhancement for good meat rather than a cover for bad. I think we can hear his voice in Lorenzo’s objection to words that mar the matter. It is only when the outer dressing is unrelated to the inner matter, so that it can in no way express, enhance or emphasize the substance, that the outside loses its quality of being true. This might happen, say, if one were to order a chicken dish with a sauce so overpowering that it becomes impossible to realize that one is really eating pork. It matters when we are tricked into swallowing lies. According to Cicero’s account, the Roman actor Polus enhanced his performance of Electra mourning her brother by bringing on to stage an

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<sup>27</sup> Thomas Wilson, *The Arte of Rhetorique* [London: Richard Grafton, 1553] (1560), ed. G. H. Mair (Oxford: Clarendon Press, 1909), 4.

<sup>28</sup> *Ibid.*, 161.

urn with the ashes of his own dead son. Brecht called this ‘barbaric’. He employed a metaphor that will now be familiar to us:

the object is to fob us off with some kind of portable anguish – That’s to say anguish that can be detached from its cause, transferred *in toto* and lent to some other cause. The incidents proper to the play disappear like meat in a cunningly mixed sauce with a taste of its own.<sup>29</sup>

Lorenzo’s role is to bear true witness to Shakespeare’s craft, even as at one point he is enlisted by Portia to bear false witness to her whereabouts during the time she played the lawyer (5.1.270–71). As Bassanio warns us not to trust the one who persuades us with sweet speech (‘In law, what plea so tainted and corrupt, / But, being seasoned with a gracious voice, / Obscures the show of evil?’ [3.2.75–7]), so Lorenzo warns us not to trust the man whom sweet sounds cannot sway: ‘The man that hath no music in himself, / Nor is not moved with concord of sweet sounds, / Is fit for treasons, stratagems and spoils; ... / Let no such man be trusted’ (5.1.83–8).

If we were to reject the sound of words and the sight of the scene merely because they are sensory and superficial, we would throw out the meat with the sauce. As Ben Jonson wrote ‘On picture’ (*De pictura*): ‘Whosoever loves not picture is injurious to truth’.<sup>30</sup> In 1977, Richard Schechner put it this way:

the raw material of theatre wherever it is found – is also the stuff that lies are made of. As Ekman points out, the face is not only a truth-teller but a liar without peer. And lying, as much as truth-telling, is the stock in trade of theatre.<sup>31</sup>

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<sup>29</sup> Berthold Brecht, *Brecht on Theatre: The Development of an Aesthetic*, ed. John Willett, [1964] (London: Methuen Drama, 2001), 271.

<sup>30</sup> Ben Jonson, *Discoveries* (London: 1641), 59.

<sup>31</sup> Richard Schechner, *Performance Theory* [1977] (London: Routledge, 2003), 315.

Alongside this we can place Constantin Stanislavski's assertion in his 1937 work *An Actor Prepares*, that:

What we mean by *truth* in the theatre is the scenic truth which an actor must make use of in his moments of creativeness. Try always to begin by working from the inside, both on the factual and imaginary part of a play and its setting. Put life into all the imagined circumstances and actions until you have completely satisfied your *sense of truth*, and until you have awakened a *sense of faith* in the reality of your sensations. This process is what we call *justification* of a part.<sup>32</sup>

Justice, which has been called giving to each one their due,<sup>33</sup> is what the audience renders when it commits to give the performance credit where it is due. It takes the form of judgment free of prejudice, of suspension of disbelief and, at the end, the approbation of applause. Stanislavski writes that: 'Truth on the stage is whatever we can believe in with sincerity, whether in ourselves or in our colleagues. Truth cannot be separated from belief, nor belief from truth'.<sup>34</sup> The playwright and the actors present a surface, the whole surface and nothing but the surface. That done, they make one demand of us – that we should believe them when they say, 'if you prick us, we will bleed'. In fact, we never prick them; and they never bleed. We hold the play but as a play because it pleases us to do so. We are satisfied with the surface, with the scene. When we probe it, that is prove it, we find that a good play is proof against our doubts. The surface suffices. We take it for truth, and we trust in it. Only cutting critics of the unkindest sort will find false in everything. The reasonable playgoer, who goes 'kindly to judge' the

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<sup>32</sup> Constantin Stanislavski, *An Actor Prepares*, trans. Elizabeth R Hapgood [1937] (London: Methuen, 1980), 129.

<sup>33</sup> *Justitia suum cuique distribuit* (Cicero, *De Legibus* [c. 43 BC], I, 15, following Aristotle).

<sup>34</sup> Stanislavski, *Actor*, 129.

play (*H5* Prologue 34), doesn't need to see Shylock bleed to accept his humanity, or to see the Prince of Morocco bleed who offered to 'make incision' (2.1.6) to prove his love, or to see Antonio bleed who offered his life for his friend. Trust in surfaces makes the world of theatre, as it makes theatre of the world. Antonio sees this when he says:

I hold the world but as the world, Gratiano,  
A stage, where every man must play a part,  
And mine a sad one.

(1.1.77–9)

Antonio speaks knowingly of his world of show as if it were our world. Through him Shakespeare points to fabrications and in so doing directs our critical gaze away from the hand that manufactured everything. The effect is the paradoxical and alienating one of making Antonio seem more real. We sense that he needs our trust and that he needs something to trust to in an untrustworthy world. Perhaps he needs to love and to be loved, not as a merchant of Venice, but as a character in a play. It is in that character that Antonio must take his very existence on trust, and this, in sooth, may be why he feels so sad.